

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Federal Deposit Insurance	:	
Corporation as Receiver of	:	
Washington Mutual Bank,	:	
 Plaintiff,	:	
 v.	:	Case No. 2:09-cv-436
 V. Jennine Graham, et al.,	:	
 Defendants.	:	Magistrate Judge Kemp

ORDER OF CONFIRMATION SALE AND DISTRIBUTION

This action is before the Court upon the Notice of Deposit of Foreclosure Sale filed by the Special Master with respect to the property commonly known as 695 Island Court, Columbus, OH 43214, parcel no. 010-102938-00 (the Property). The legal description of the Property is attached to this order as Exhibit A, which is incorporated herein by reference.

1. Consistent with section 3.12 of General Order No. 07-03 and section 2329.34 of the Ohio Revised Code, the Court finds that a special reason exists why a county sheriff or the United States Marshal's Office cannot conduct the sale.

2. The Property was sold by the Special Master on January 9, 2014 to Washington Mutual Bank for the following amount: \$124,563.00. Washington Mutual Bank subsequently assigned its bid to U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association as Trustee as successor by merger to LaSalle Bank, National Association as trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2006-5 ("Plaintiff's Assignee").

3. Having carefully examined the proceedings of the officer, the Court finds that the sale of the Property conformed in all respects to the law and the prior orders of this Court and hereby confirms and approves the sale of the Property and these proceedings.

4. The Special Master, within 5 days of the date of this Entry, shall convey the Property

to

U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association as Trustee as successor by merger to LaSalle Bank, National Association as trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2006-5 by deed according to law free and clear of all liens and encumbrances and shall issue the deed in the following name: U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association as Trustee as successor by merger to LaSalle Bank, National Association as trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2006-5.

5. The tax mailing address of the purchaser of the Property is as follows: 7255 Baymeadows Way, Jacksonville, Florida 32256.

6. The prior deed reference with respect to the Property is as follows: Deed dated August 6, 1993, filed August 10, 1993, recorded in Official Records Volume 23537, Page I06, Recorder's Office, Franklin County, Ohio.

7. The purchaser of the Property is hereby subrogated to the rights of the mortgagees and lien holders in the Property to the extent necessary to protect the purchaser's title to the Property.

8. The Court hereby grants the purchaser of the Property a writ of possession to put the purchaser in possession of the Property.

9. The Court hereby orders the release of all mortgages and liens held by all parties to this action. As a result, the Clerk of Courts shall cause certificates of satisfaction and release (or certified copies of documents which will serve that purpose, to be issued upon request and the payment of any required fees) to be presented for recording by the County Recorder with respect to each of the mortgages and liens listed on Exhibit B, which is attached to this order for the convenience of the Clerk of Courts and incorporated herein by reference. Such mortgages and liens shall be released only to the extent that they encumber the property foreclosed upon in this action and not to the extent that they encumber any other property.

10. Because U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association as Trustee as successor by merger to LaSalle Bank, National Association as trustee for Washington Mutual Mortgage Pass-Through

Certificates WMALT Series 2006-5 is the assignee of the successful bid of Washington Mutual Bank, which holds a valid and subsisting mortgage on the Property, it need not pay the full amount of the purchase price to the Special Master. Instead, the bid of U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association as Trustee as successor by merger to LaSalle Bank, National Association as trustee for Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2006-5 shall be credited against the amount of the judgment previously entered in favor of the Plaintiff. Plaintiff is further ordered to pay the following:

a. To the County Treasurer, \$0.00 for taxes and assessments due on the Property.

11. The following amount shall be applied as a credit toward the amount of the judgment previously entered in favor of the Plaintiff: \$124,563.00.

12. The Clerk is hereby ordered to distribute \$500.00 to the Special Master from the amount placed on deposit by the Plaintiff.

13. Having distributed payment for the appraisals in accordance with section 3.12 of General Order 07-03, the Clerk is hereby ordered to return the balance of the deposit, \$550.00, plus accrued interest, if any, to the Plaintiff.

IT IS SO ORDERED.

/s/ Terence P. Kemp
United States Magistrate Judge

Approved:
/s/ David F. Hanson
David F. Hanson (0059580)
Manley Deas Kochalski LLC
P. O. Box 165028
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Fax: 614-220-5613
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Attorney for Plaintiff

EXHIBIT A

Legal Description of the Property

Situated in the City of Columbus, County of Franklin and State of Ohio:

Lot Number (80) of Thomas Lane Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 27, page 46, Recorder's Office, Franklin County, Ohio.

EXHIBIT B

Mortgages and Liens to be Released

1. Mortgage in favor of Integrity Mortgage, 11933 Westline Industrial Drive, St. Louis, MO 63146, from V. Jennine Graham aka Vevie Jennine Graham, unknown marital status, in the amount of \$166,600.00, recorded August 29, 2005 as Instrument Number 200508290177287, Franklin County, Ohio records.
2. Mortgage in favor of "MERS", Mortgage Electronic Registration Systems, Inc., acting solely as nominee for American Brokers Conduit, P.O. Box 2026, Flint, MI 48501-2026, from Vevie Jennine Graham (also signed as V. Jennine Graham aka Vevie J. Graham), unmarried, in the amount of \$168,000.00, recorded March 9, 2006 as Instrument Number 200603090044698, Franklin County, Ohio records.

as assigned to Washington Mutual Bank, c/o Washington Mutual, 11200 W. Parkland Ave., Mail Stop MWIA107, Milwaukee, WI 53224, by Assignment recorded July 27, 2007 as Instrument Number 200707270131568, Franklin County, Ohio records.
as assigned to LaSalle Bank National Association, as Trustee of the Washington Mutual Pass-Through Certificates WMALT Series 2006-5 Trust whose address is, 7255 Baymeadows Way, Jacksonville, Florida 32256, by Assignment filed May 21, 2008, recorded in Official Instrument Number 200805210078044, Recorder's Office, Franklin County, Ohio.
3. Mortgage in favor of "MERS", Mortgage Electronic Registration Systems, Inc., acting solely as nominee for American Brokers Conduit, P.O. Box 2026, Flint, MI 48501-2026, from Vevie Jennine Graham (also signed as Vevie J. Graham aka V. Jennine Graham), unmarried, in the amount of \$42,000.00, recorded March 9, 2006 as Instrument Number 200603090044700, Franklin County, Ohio records.